



General Assembly

**Substitute Bill No. 5444**

February Session, 2004

\* \_\_\_\_\_HB05444JUD\_\_\_\_030904\_\_\_\_\_\*

**AN ACT CONCERNING THE TRANSFER TO JUVENILE COURT OF  
THE CASES OF CHILDREN CHARGED WITH CERTAIN SEXUAL  
OFFENSES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 46b-127 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2004*):

4 (a) The court shall automatically transfer from the docket for  
5 juvenile matters to the regular criminal docket of the Superior Court  
6 the case of any child charged with the commission of a capital felony, a  
7 class A or B felony or a violation of section 53a-54d, provided such  
8 offense was committed after such child attained the age of fourteen  
9 years and counsel has been appointed for such child if such child is  
10 indigent. Such counsel may appear with the child but shall not be  
11 permitted to make any argument or file any motion in opposition to  
12 the transfer. The child shall be arraigned in the regular criminal docket  
13 of the Superior Court at the next court date following such transfer.  
14 The file of any case so transferred shall remain sealed until the end of  
15 the tenth working day following such arraignment unless the state's  
16 attorney has filed a motion pursuant to this subsection in which case  
17 such file shall remain sealed until the court makes a decision on the  
18 motion. A state's attorney may, not later than ten working days after  
19 such arraignment, file a motion to transfer the case of any child

20 charged with the commission of a class B felony or a violation of  
21 subdivision (2) of subsection (a) of section 53a-70 to the docket for  
22 juvenile matters for proceedings in accordance with the provisions of  
23 this chapter. The court sitting for the regular criminal docket shall,  
24 after hearing and not later than ten working days after the filing of  
25 such motion, decide such motion.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>

**JUD**      *Joint Favorable Subst.*